

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ICE GLASS PRINTS FLORIDA, LLC, and
FOX FAMILY, LLC,

Plaintiffs,

v.

SURPRIZE LLC, SURDEC LLC, ART
CRYSTAL LTD.; ART CRYSTAL II
ENTERPRISES, INC.; PAUL RAMSDEN; and
ARTHUR MOSTOW,

Defendants.

Case Number 08 cv 5284

Judge Edmond E. Chang

ART CRYSTAL II ENTERPRISES, INC.,
d/b/a ART CRYSTAL, LTD.,

Counter-Plaintiff,

v.

ROBERT FOX; FOX FAMILY, LLC;
ICE GLASS PRINTS FLORIDA, LLC;
and PAUL RAMSDEN,

Counter-Defendants.

Permanent Injunction

This matter having come on the motion for default judgment of Art Crystal II Enterprises, Inc. d/b/a Art Crystal, Ltd, as against the Counter-Defendants, Robert Fox (Fox), Fox Family LLC, and Ice Glass Prints Florida, LLC (collectively the “Fox Parties”), the Court finding that due notice for the motion having been given,

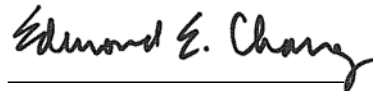
IT IS FOUND AND ORDERED AS FOLLOWS:

1. This Court has jurisdiction over the parties and the subject matter alleged in Art Crystal’s Amended Counterclaim.

2. The Fox Parties have been personally served with process, and have failed to file an appearance or answer to the Amended Counterclaim.
3. In light of the default of the Fox Parties, the allegations of the Amended Counterclaim are deemed as true. Moreover, Art Crystal has attached relevant exhibits and a declaration (of Patrick Dorgan) that supply additional grounds to find the following facts: Fox and Fox Family LLC have breached the agreement attached to Art Crystal's Amended Counterclaim as Exhibit B, and Art Crystal has sustained damages as a result of that breach in the reasonably-estimated amount of \$75,000.
4. Judgment is entered in the amount of \$75,000 jointly and severally, as against Fox and Fox Family LLC.
5. The Fox Parties' use of the term "Diamond Ice Prints" infringes Art Crystal's registered trademark for "Ice Glass Prints," which bears federal registration no. 3,618,444. Although there are some words in each mark that do not overlap with the other mark, the parties compete in the exact same business and thus the probability of confusion is high.
6. In light of the history of the litigation and the notice of alleged infringement provided to the Fox Parties, the Fox Parties' infringement of Art Crystal's trademark has at all times been willful.
7. The Fox Parties and their directors, officers, agents servants, employees, and all others in privity or in concert with them, are permanently enjoined from using the names "Ice Prints," "Diamond Ice Prints," or any other similar names, words, terms, or symbols in connection with goods or services in a manner relating to the sale of products embedding or copying an image onto glass.
8. As part of an agreement, Art Crystal disclosed confidential, trade secret information to Fox and Fox Family LLC.
9. Fox and Fox Family LLC have breached the terms of the Confidentiality and Non-Disclosure Agreement attached to Art Crystal's Amended Counterclaim as Exhibit A, by using and disclosing the Confidential Information.
10. The Confidential Information constitutes a trade secret under the Illinois Trade Secrets Act, 765 ILCS 1065/1 et seq.

11. Fox and Fox Family LLC have misappropriated Art Crystal's trade secrets under the Trade Secrets Act.
12. Fox and Fox Family LLC's misappropriation of Art Crystal's trade secrets has been willful.
13. The Fox Parties are permanently enjoined from manufacturing, distributing, marketing and selling products incorporating Art Crystal's trade secrets, including products that consist of applying images on glass and ceramics through dye sublimation.
14. The Fox Parties are enjoined from using and disclosing Art Crystal's trade secrets related to applications, distribution channels, and available markets for the products related to applying images on glass and ceramics through dye sublimation.
15. Within 30 days from the date of this Order, Fox and Fox Family LLC shall deliver to Art Crystal all trade secret information for destruction.

ENTERED:

A handwritten signature in black ink, reading "Edmond E. Chang". The signature is written in a cursive, flowing style.

Honorable Edmond E. Chang
United States District Judge

Date: December 10, 2012